

Application Serial No. 10/583,880
Reply to Office Action of October 28, 2011

PATENT
Docket: CU-4890

REMARKS

In the Office Action, dated October 28, 2011, the Examiner states that Claims 57, 58, 60, 62, 63, 65-70, 72, and 74 are pending and rejected. By the present Amendment, Applicant amends the claims.

Rejections under 35 U.S.C. §103(a)

Claims 63 and 65-68 stand rejected under 35 U.S.C. §103(a) as being obvious over JP 08-190334 in view of U.S. Patent No. 4,942,102 (Keys), U.S. Patent No. 5,096,790 (Monroe), U.S. Publication No. 2002/0118409 (Stevenson), U.S. Patent No. 3,658,526 (Haugh) and U.S. Patent No. 3,652,275 (Baum). Claims 57, 58, 60, and 62 stand rejected under 35 U.S.C. §103(a) as being obvious over JP 11-161140 in view of U.S. Patent No. 5,453,340 (Kawabata), JP 01-287105 (Harada), Stevenson and Haugh. Claims 69, 70, 72, and 74 stand rejected under 35 U.S.C. §103(a) as being obvious over JP 06-175554 in view of U.S. Patent No. 5,965,324 (Okubo), DE 100571141 (Ernst), JP 06-175554 (Yamaguchi), Stevenson, and Haugh. Applicant respectfully disagrees with and traverses these rejections.

At the outset, Applicant indicates that independent Claims 57, 63, and 69 have been amended to specify that the binder resin is polyvinyl acetate.

In the Office Action, the Examiner has cited JP 11-161140 (the '140 application) and JP 08-190334 (the '334 application) as references that teach particular binder resins. The '334 application teaches a bisphenol A resin (binder), which is a reactive resin having two phenolic hydroxyl groups. The bisphenol A resin in this reference is cured (polymerized). The '140 application teaches an epoxy oligomer (Epicoat 1007), which the Examiner considers to be a binder. However, Epicoat 1007 is reactive and thus has polymerization or photopolymerization reactivity.

In contrast, the presently claimed binder, polyvinyl acetate, is not reactive and thus has no polymerization reactivity. The claimed binder of polyvinyl acetate is not polymerizable and not photopolymerizable. Thus, although the '334 application and the '140 application teach or suggest certain binder resins, they do not teach or suggest the presently claimed, unreactive and un-polymerizable, polyvinyl acetate binder resin.

To support a *prima facie* case of obviousness, the Office Action must establish "a finding that the prior art included each element claimed, although not

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necessarily in a single prior art reference, with the only difference between the claimed invention and the prior art being the lack of actual combination of the elements in a single prior art reference." Examination Guidelines for Determining Obviousness Under 35 U.S.C. 103 in view of *KSR International Co. v. Teleflex Inc.*, 72 Fed. Reg. 57,526 (Oct. 10, 2007). Since the prior art does not teach or suggest each and every feature of the presently claimed invention, Applicant respectfully asserts that a *prima facie* case of obviousness cannot presently be established.

Since independent Claims 57, 63, and 69 are allowable over the prior art, Applicant asserts that all claims depending therefrom are allowable for at least the same reasons, as well as for the features that they recite. As such, Applicant respectfully requests withdrawal of the present rejections under 35 U.S.C. §103(a).

In light of the foregoing response, all the outstanding objections and rejections are considered overcome. Applicant respectfully submits that this application should now be in condition for allowance and respectfully requests favorable consideration.

February 28, 2012

Date

Respectfully submitted,

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